

Government Officer was drawing Rs. 1,400. Now, under the new dispensation, that officer's salary goes up to Rs. 1,800. Unless the Corporation sanctions that amount, he cannot draw Rs. 1,800. That is why we have stated that it will be determined from time to time. It does not mean we are going to give him Rs. 2,500. Sir, I want to take the House into confidence. We have not taken the time scale post, because the pay would be higher. Still, it will be a question of giving a higher special pay all over India like Rs. 250 or Rs. 300 to an I.A.S. Officer. But wherever there is need, we will put an axe and we will retrench expenditure. Simply because Section 13 has not been amended, even though an officer is legitimately due to draw Rs. 1,500, he has not been allowed to draw. The poor man has written to Government. Therefore, there is nothing unusual. We are not going to do anything abnormal, or out of the way. There may be other questions between the Commissioner and the Corporation. If my friend has got any problems, he can approach the Government, and all those problems could be taken up separately. Here is a simple proposition to relieve a man of his anxiety. It is not an individual case. Any other I.A.S. man may be posted there. If he has to draw his pay, Section 13 is an impediment. It is only with a view to remove that anomaly that we are amending Section 13. What does the amendment say? It only seeks to empower the Government to determine the salary of the Commissioner from time to time. The Government may post a man drawing Rs. 1,200 or Rs. 1,300. When once it is an encadred post and when once it is included in the I.A.S. posts, we cannot put a non-I.A.S. man unless the Home Ministry approves of it. So, kindly bear in mind that nothing unusual or abnormal is going to be done. We are not going out of the way. I do not know why one should get disturbed; please don't see through coloured glasses. That is my earnest appeal. I hope, Sir, I have made matters very clear and I request that this simple matter may be accepted.

Sri V. P. DEENADAYALU NANDU.—The Hon'ble Minister for Finance referred to one aspect of the question. I referred to the points decided at the Mayors' Conference. I want to know what has happened to them and the resolutions passed by the Corporation.

Mr. SPEAKER.—I am sorry that is a different matter altogether. The question is :

“That the City of Bangalore Municipal Corporation (Amendment) Bill, 1957, be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—The clauses of the Bill will now be taken up. As there are no amendments, I will put all the clauses together. Clauses 2 and 1, Title and Preamble. The question is :

“That Clauses 2 and 1, the Title and the Preamble form part of the Bill.”

The motion was adopted.

Clauses 2 and 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri T. MARIAPPA.—Sir, I move :

“That the City of Bangalore Municipal Corporation (Amendment) Bill, 1957 be passed.”

Mr. SPEAKER.—The question is :

“That the City of Bangalore Municipal Corporation (Amendment) Bill, 1957 be passed.”

The motion was adopted.

THE MYSORE MOTOR VEHICLES TAXATION BILL, 1957.

Motion to consider.

Sri C. M. POONACHA (Minister for Industries and Home Affairs).—Sir, I move :

“That the Mysore Motor Vehicles Taxation Bill, 1957, as reported by the Select Committee, be taken into consideration.”

Mr. SPEAKER.— Motion moved :

“That the Mysore Motor Vehicles Taxation Bill, 1957, as reported by the Select Committee, be taken into consideration.”

Sri B. K. PUTTARAMIYA (Channapatna).— We can discuss this Bill up to six 'oclock and then continue the discussion tomorrow.

Mr. SPEAKER.— We will go on upto 7-10 to-day. When there is the order of the House we cannot help it ; we will have to obey it. I am limiting the time. It will be about ten minutes or if Hon'ble Members want, I can raise it to 15 minutes ; we must finish it according to the Schedule.

Sri M. C. NARASIMHAN (Kolar Gold Fieds).— Mr. Speaker, Sir, after reading the Select Committee Report; it is regrettable that some of the criticisms and arguments advanced at the time it was introduced have not been given adequate consideration by the Select Committee. There were certain very important suggestions made, which I had thought were non-controversial in character, but those also do not seem to have been incorporated in the Select Committee Report. Sir, now I draw the attention of the House only to one aspect ; I shall come to the increased levy later. The first thing is about the utilisation of the proceeds of this tax. It was suggested by several Hon'ble Members of this House including myself that one of the charges on the fund should be for a Road Fund. It is not anything strange or extraordinary ; this is not strange at all, because such a provision was already there in section 12 (2) of the Hyderabad Act. Section 12 of the Hyderabad Motor Vehicles Act did provide for a creation of the Road Fund. It was understood that after payments for the expenses incurred in giving effect to the provisions of this Act, whatever balance was left over ought to be credited to the Road Fund. This was realised by the Hyderabad Legislature for the reason that the State of roads in Hyderabad areas was in a rather unsatisfactory way. I do not see that the situation is better in several other parts of the new State

though here and there, there may be tarred roads and cement concrete roads. But they require constant attention especially so in the case of roads in Malnad areas. I think, this is a very non-controversial aspect, but unfortunately this is not at all considered by the Select Committee. I do not know why this aspect was lost sight of. Here also there is a sub-clause (3) which says : “allotments made by the Government for such other purposes as may be consistent with, or necessary for the more efficient administration of this Act.” We do not know what those purposes are. I do not see from this general clause that it is intended also for the maintenance of the roads. If we are serious about the implementation of the Nagpur Road plan, we should take care to see that we constitute a non-lapsable fund. It is very important that this realisation is not mixed up with the general revenue, because it is likely to be used for several other purposes. For example, one lakh was proposed to be spent to enhance the allowance of the members of this Legislature. So, Sir, we might not be able to give the required attention to the roads. This is a simple suggestion which ought to have been taken note of by the Select Committee.

Coming to the provisions of the Bill it is provided here that the appeal might have to be addressed to the prescribed authority. It is not clearly stated who is going to be the appellate authority. It is better and in fitness of things that we prescribe here and now as to who should be the appellate authority. In the Hyderabad Legislation, Sir, it is the State Transport Authority that has been given the power of hearing appeals. It is necessary that we also clarify; otherwise it may lead to a lot of trouble and confusion. So far as the administration of this Act is concerned, when at least framing the rules, this matter will have to be borne in mind.

[**SRI Y. VEERAPPA** in the chair.]

Under the Central Act, we have got the Regional Transport Authority. Last time also it was made mention of that the Regional Transport

Authority should be extended to the District level. So far as the 1939 Act is concerned, it was of the district level. I do not see any reason why the district level should have been given a go-by. This will lead to a lot of inefficiency. It is absolutely necessary in this connection to emphasise that the District Regional Transport Authority is again instituted.

In section 16, the Bill seeks to give powers to the State Government to exempt or reduce the rate of tax payable in respect of any class of motor vehicles. Clause (b) of section 16 says the Government 'can reduce the rate of tax payable in respect of any class of motor vehicles plying on any route or routes specified in the notifications'. Possibly this clause arose in view of the fact that certain accommodation had to be given to regions where the routes were not developed properly. That is a salutary recommendation and I have no objection in agreeing to it. But Section 16 (a) which deals with exemption from tax on any class of motor vehicles is absolutely unnecessary. I do not know what particular type of motor vehicles they have in view. For one thing, they have virtually exhausted almost all the list of vehicles that are ordinarily plying on our routes and in fact the various types of motor vehicles have further been defined under the 1939 Act, or defined in this Act. Therefore, what was the reason for delegating this extraordinary power to Government? What is the logic behind it? Even if this power is to be vested with Government, there must be certain safeguards, as, for instance, even in the 1939 Motor Vehicles Act, there were certain conditions for exercising the power, *viz.*, it should be notified in the gazette and it was subject to the previous publication in the Legislature. I do not know if it applies now also.

Coming to the schedule of rates, which is the most important part of the Bill, I had particularly drawn the attention of the House to the enormous increase in the levy. Unfortunately, this point has been lost sight of. For example, take invalid carriages. No doubt it has been reduced to 5 rupees

from 7.5., by the Select Committee. So far so good, but I do not see any reason for such a charge at all. The invalid carriages are only a few in number and according to the definition itself, these are vehicles used by those who are either deaf or invalidated due to suffering from physical disabilities. In respect of such cases, I think there is clearly a case for providing an exemption from this levy.

The rates have already been increased. We have already submitted our case last time and I do not wish to add to what has been stated previously. I once again submit that the rates should not be increased in this manner. So far as the schedule is concerned, on page 13, vehicles plying for hire in respect of certain notified cities have been mentioned. Here, I can only speak with reference to my knowledge of its working in K.G.F. These cities cannot be classed under one category. What is sought to be done is that all cities are sought to be included in one category. For example, Mysore, Shimoga and K.G.F. come under one category under the old Mysore Act. Under the new Act, it may probably include Belgaum and a few other cities. If the taxes are to be taken into account, the turnover, the income of the persons who are running or plying the buses for hire, should also be borne in mind because the turnover or income is not uniform in all the States. For example, in a city like the K.G.F. it is a working class city where the turnover is very little and the charges are also of a nominal character, you will find that the same law cannot be applied. The same taxation structure cannot be applied in relation to places like K.G.F., because though it has 1½ lakhs population, the fact remains that a vast majority of them are from the working classes. What is likely to happen is that it may be transferred on to the passengers. I am aware that the passenger rates also can be controlled by the Government under the Motor Vehicles Act, but the pressure will always be there. After all we know that Government have power and very likely they may revise the rates. But then there must be a categorical

(SRI M. C. NARASIMHAN)

assurance at least from the Government that these rates for passengers at present obtaining—contractual rates between the passenger and those who run the stage carriages—under the Act will not be increased, and that Government will not at a later date increase the rates.

Of course this is somewhat salutary though it does not meet the requirements. A new sub-division has been introduced in respect of motor vehicles plying for hire *viz.*, vehicles plying for hire within 60 miles and those plying beyond. A distinction in principle has been brought in. But it does not meet the requirements of equity in the old Mysore Act because we had mileage cess and it was much more equitable. The burden of taxation was falling more equitably than at present prevalent. Yet it is welcome.

On page 14 we find that motor vehicles like fire engines, fire tenders and road water sprinklers are also sought to be taxed. I am certain that the revenues we are going to get therefrom will be very small, possibly very negligible. There is another aspect which I want to be considered : who are the persons that use fire engines ? It is the P.W.D. It is not a private agency. Which are the institutions likely to use fire tenders and road water sprinklers ? It is again the Corporation or the municipal institutions. So, what is the point in taxing such institutions ? So far as I am aware, no individual or private company is having a fire engine, or a fire tender or a road water sprinkler. Advisedly in the old Mysore Act these were not included. Fire engines, fire tenders or road water sprinklers are not the creation of Karnatak. After all they have been there from the time immemorial. Why is it that suddenly these new items have been introduced ? What justification is there for imposing this levy either on the P. W. D. or on the Corporation or on the Municipalities is a thing which is beyond my comprehension. There is no justification to include them ; they must completely go out of the list. That is all what I would like to say.

SRI G. ANNA RAO (Afzalpur).—

Mr. Speaker, I rise to support the Mysore Motor Vehicles Taxation Bill as reported by the Select Committee, in which salutary amendments have been made. I should like to place my views before the House with regard to clause 16. When the principles of this Bill were being discussed in this august House, I pleaded that there were certain difficulties with regard to the road system in the former Hyderabad district. I need not stress the point that transport and communications are interdependent. One cannot subsist without the other. Hence the road system in Hyderabad is very hopeless. There are no proper roads maintained so far and this tax is going to hit hard those operators who run vehicles on hire. In clause 16 I welcome the amendment suggested by the Select Committee. They have stated that "in some areas of the State there are no proper motorable roads and we consider that it is necessary to reduce the rate of tax on stage carriages on such roads.

6 P.M.

I think that this principle should be applied to Hyderabad. Because in the memorandum submitted to the Finance Commission, it has been stated that the total mileage of all classes of roads in the Hyderabad region is 1,130 miles. It works to an overall length of 8.6 per cent per 100 square miles as compared to old Mysore's 36.7. So this memorandum stresses the point and says that in order to bring it on a par with the old Mysore State another 1,400 miles of new road will have to be laid at a cost of five crores. I think this memorandum lays down definitely that Hyderabad area is a backward one in road mileage. Even the Belgaum Division exceeds the Hyderabad area. There it is 23.3 miles of road for every 100 miles laid. Hence I plead with the Minister that when issuing the notification under section 16, he would keep in mind the hopeless condition of roads in Hyderabad area. Also in the former Hyderabad Motor Vehicles Act, in Schedule Part A Clause 4 (3), it has been laid down that for every passenger seat, it is

Rs. 30. If this clause is applied to the Hyderabad region, the whole transport will be affected. They will be stopped. Hence I plead with the Government that while making the rules and while issuing the notification, all these aspects of the question will be kept in view and also what was discussed in the Select Committee and what has been pleaded in the House.

Sri H. M. CHANNABASAPPA (Krishnarajanagar).—I wish to submit to the Chair that it is already six o'clock and the House is very thin. The Bill to be discussed is very important and it would be best to have the opinion of all the members. I would therefore suggest that the House may kindly be adjourned so that we may have the benefit of the views of the members of the Assembly who are absent today. This is a suggestion for the kind consideration of the Chair.

Mr. CHAIRMAN (Sri Y. VEERAPPA).—As the Hon'ble Member said, no doubt, the House is thin. But I think as per rules there is quorum. We have also agreed to sit and transact business till 7.10

Sri K. S. SURYANARAYANA RAO (Mysore City).—At the last session this House had agreed to work between 1 and 6 and now it is 6. We have already sat for too long a time. As Hon'ble Member Sri H. M. Channabasappa put it, the Bill is very important and we should take it in a more leisurely way. The sense of the House may be taken and the House adjourned till tomorrow.

Sri H. K. VEERANNA GOWDH (Minister for Public Works).—The

House has agreed to this programme of work and it is but right that the House should complete this work. As regards the sense of the House, it was suggested that this was a thin House. Then what is the good of taking the opinion of a thin House? It does not matter whether it is a thin House or a thick House. As the House has agreed to complete the business for the day, that business must be completed today so that we may not come in the way of tomorrow's work.

Sri K. S. SURYANARAYANA RAO.—Can the House take up such a vital subject as the Motor Vehicles Taxation Act when the House is so thin?

Mr. CHAIRMAN.—I am in a dilemma. No doubt, we have agreed to transact business till 7-10 p.m. No doubt, as pointed out by some Hon'ble Members, the House is thin but the quorum is there. But there is nobody to speak on the Bill. Many Hon'ble Members have gone to attend to their respective engagements which are already fixed up thinking that two hours have been allotted for the discussion of this Bill tomorrow. Therefore, I feel at this juncture that the House should rise now and meet tomorrow at 1 p.m. as usual.

The House adjourned at Seven Minutes past Six of the Clock to meet again at One of the Clock on Thursday, the 19th September 1957.